

E-filed on: March 5<sup>th</sup>, 2014

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**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA**

In re:

WILLIAM A. GAYLER

Debtor.

Case No.: BK-S-09-31603-MKN  
Chapter 7

Hearing Date: N/A  
Hearing Time: N/A  
Place: Foley Federal Bldg.  
300 Las Vegas Blvd. S.  
Las Vegas, NV 89101

Hon. Mike K. Nakagawa

**NOTICE OF APPEAL**

David A. Rosenberg, Chapter 7 Trustee ("Trustee") for the bankruptcy estate of William A. Gayler, by and through his counsel of record, Howard Kim & Associates, appeals under 28 U.S.C. § 158(a) from the Order on Trustee's Motion to Disqualify Counsel for John D. O'Brien Profit Sharing Plan and Counsel for Barry R. Moore and Janie Moore as Co-Trustees of the BAMM Living Trust Dated July 16, 2003, Groth, LLC, CH Pichon, LLC and Harlan, LLC Through Their Managing Member John O'Brien (the "MAC Creditors") entered in the above-captioned bankruptcy case on the 24<sup>th</sup> day of February, 2014 ("Order") [Dkt. No. 591].

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The names of all parties to the Order appealed from and the names, addresses, and telephone numbers of their respective attorneys are as follows:

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1 As the above Order may be considered an interlocutory order under 28 U.S.C. § 158(a),  
2 the Trustee will be filing a Motion for Leave to Appeal concurrently herewith or shortly  
3 thereafter, in an abundance of caution.

4 Dated this 5th day of March, 2014.

5 **HOWARD KIM & ASSOCIATES**

6  
7 */s/Howard C. Kim*

8 Howard C. Kim, Esq.

9 Nevada Bar No. 10386

10 Jacqueline A. Gilbert, Esq.

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17 *Trustee*

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Honorable Mike K. Nakagawa  
United States Bankruptcy Judge



Entered on Docket  
February 24, 2014

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA

\* \* \* \* \*

In re:	)	Case No.: 09-31603-MKN
	)	Chapter 7
WILLIAM A. GAYLER,	)	
	)	Date: September 19, 2013
Debtor.	)	Time: 9:30 a.m.
	)	

**ORDER ON TRUSTEE'S MOTION TO DISQUALIFY COUNSEL FOR JOHN D. O'BRIEN PROFIT SHARING PLAN AND COUNSEL FOR BARRY R. MOORE AND JANIE MOORE AS CO-TRUSTEES OF THE BAMM LIVING TRUST DATED JULY 16, 2003, GROTH, LLC, CH PICHON, LLC AND HARLAN, LLC THROUGH THEIR MANAGING MEMBER JOHN O'BRIEN**

The court having entered its Memorandum Decision on Trustee's Motion to Disqualify Counsel for John D. O'Brien Profit Sharing Plan and Counsel for Barry R. Moore and Janie Moore As Co-Trustees of The Bamm Living Trust Dated July 16, 2003, and Groth, LLC, CH Pichon, LLC, and Harlan, LLC through Their Managing Member John O'Brien concurrently herewith,

**IT IS HEREBY ORDERED** that the Trustee's Motion to Disqualify Counsel for John D. O'Brien Profit Sharing Plan and Counsel for Barry R. Moore and Janie Moore As Co-Trustees of The Bamm Living Trust Dated July 16, 2003, Groth, LLC, CH Pichon, LLC, and Harlan, LLC Through Their Managing Member John O'Brien , Docket No. 524, be, and the same hereby is, **DENIED**.

Notice and Copies sent through:

CM/ECF ELECTRONIC NOTICING AND/OR BNC MAILING MATRIX

and sent via FIRST CLASS MAIL BY THE COURT AND/OR BNC to:

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